

REMARKS

Claims 1, 2-3, 5-8 and 12 have been amended. Claims 4, 9-10, and 13-14 have been canceled.

The Examiner has rejected applicant's claims 1-10 and 12-14 under 35 USC 112, second paragraph, as failing to particularly point out and distinctly claim applicant's invention. The Examiner has noted particular language in claim 1 and similar language in claims 9, 10 and 12-14 which the Examiner finds unclear.

Applicant has canceled claims 9-10 and 13-14. Also, applicant has deleted the language said to be unclear by the Examiner from claims 1 and 12. Accordingly, applicant's claims, as amended, are now believed to particularly point out and distinctly claim applicant's invention in compliance with the provisions of 35 USC 112, second paragraph.

The Examiner has rejected applicant's claims 1-10 and 12-14 under 35 USC 103(a) as unpatentable based upon the Enright, et al. patent (U. S. Patent No. 6,583,813) taken with the Sakurai reference (JP 2002165195). With respect to applicant's claims, as amended, this rejection is respectfully traversed.

Applicant has amended applicant's independent claims 1 and 12 to better define applicant's invention. More particularly, amended claim 1 recites an image sensing apparatus comprising: a setting unit (FIG. 2) adapted to set a plurality of sensing conditions information for an image sensing; a sensing unit (FIG. 4, S602) adapted to sense an image in accordance with at least one of the plurality of sensing conditions set by said setting unit; a creating unit (S3801) adapted to create an electronic mail on which text data for indicating at lease one of the plurality of sensing conditions when the image is sensed by said sensing unit and a link address for accessing the image sensed by said sensing unit are added; and a transmitting unit

(S605) adapted to transmit the electronic mail created by said creating unit. Claim 12 has been similarly amended. Support for applicant's amended claims can be found throughout the description in applicant's specification with particular attention to the figures and steps noted above adjacent the claimed elements.

Such a construction is not taught or suggested by the cited art of record. The Enright, et al. patent discloses a system in which individuals are notified about events at a terminal. The patent at column 36, lines 36-49, states, in part, as follows: "Forms of the invention may also be configured to attach or include in e-mails, images which correspond to the triggering event which causes the notification to be sent. This may immediately provide the person receiving the e-mail with useful information about what is occurring at the machine . . . Such emails may also include information about the nature of the triggering event, the location of the banking machine which such event is occurring and other pertinent data." Additionally, FIG. 75 of the patent shows the data that is stored or displayed with the sent images as including an image file name and an image number.

However, it is evident from these portions of the patent that the patent fails to teach or suggest "a creating unit adapted to create an electronic mail on which text data for indicating at least one of the plurality of sensing conditions when the image is sensed by said sensing unit and a link address for accessing the image sensed by said sensing unit are added. The Examiner has argued on page 9 of the Action that "Enright et al. discloses further comprising transfer means for transferring the image sensed by said sense means to a server connected to a network (figure 10; image server, network), wherein said transmitting means transmits link address information for specifying the image transmitted to the server, together with the sensing condition (figures 62-72; image name which can be used as a link for the image and the

trigger/event type included in the transfer of the image)”).

However, the Examiner cannot reasonably equate the image name included with the image mentioned in the Enright, et al. patent to a link address for accessing the image. This is so because, in the system of the Enright, et al. patent, the image data and the image are sent with the trigger event via the e-mail, so there would be no reason whatsoever to also include a link address for accessing the image in the e-mail. Moreover, the discussion in the patent of FIG. 10 makes no mention of this and merely states at column 28, lines 51-54 that “[a]s can be appreciated from the configuration in FIG. 10, an authorized user operating a user terminal can access image data by accessing the image server with a browser and recovering image data from memory.” Thus, the Examiner’s argument is not supported by the reference teachings.

Applicant’s amended independent claims 1 and 12, and their respective dependent claims, in reciting, in one form or another, along with the other features of the claims, a creating unit adapted to create an electronic mail on which text data for indicating at least one of the plurality of sensing conditions when the image is sensed by said sensing unit and a link address for accessing the image sensed by said sensing unit are added, thus patentably distinguish over the Enright, et al. patent.

The Sankurai reference was cited by the Examiner for features unrelated to those discussed above as patentably distinguishing applicant’s amended claims 1 and 12, and their respective dependent claims, over the Enright, et al. patent. Such claims thus patentably distinguish over the combination of these references.

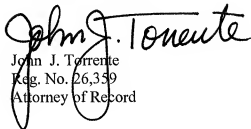
In view of the above, it is submitted that applicant’s claims, as amended, patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is

respectfully requested.

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